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EXAMINER	
TONGUE, LAKIA J	

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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14

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 10/538,882	**Applicant(s)** OSHIMA ET AL.	
	Examiner Lakia J. Tongue	**Art Unit** 1645	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 28 January 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☒ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: *See Continuation Sheet*. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: *1-30*.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See note.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

Continuation of 3. NOTE: The amended claims raise new issues that would require further consideration and a new search.

Advisory Action

Applicant's response filed on December 28, 2006 is acknowledged. Claims 1-30 are pending and under consideration. The amendment dated December 28, 2006 has NOT been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. The rejection of claims 12 and 13 under 35 U.S.C. 112, second paragraph as having insufficient antecedent basis for the limitation "wherein said *Flavobacterium psychrophilum* in a logarithmic growth phase are isolated from a growth culture by centrifugation or filtration" in lines 1-3 and "wherein said *Flavobacterium psychrophilum* in a logarithmic growth phase are inactivated" in lines 1-2, respectively is maintained for the reasons set forth in the previous office action.

Applicant argues that:

1) The claims have been amended to address the Examiner's specific points of criticism, thus the rejection is obviated by the amendment.

Applicant's arguments have been fully considered and deemed non-persuasive.

With regard to Point 1, the amendment was not entered, therefore the rejection stands.

As previously presented, the claims recite the limitation "wherein said *Flavobacterium psychrophilum* in a logarithmic growth phase are isolated from a growth culture by centrifugation or filtration" in lines 1-3 and "wherein said *Flavobacterium psychrophilum* in a logarithmic growth phase are inactivated" in lines 1-2. However, claim 2 is drawn to components of inactivated cells of *Flavobacterium psychrophilum.* There is insufficient antecedent basis for this limitation in the claim.

2. The rejections of claims 1-8, 12-15, 20-22, 24, 26-28 and 30 under 35 U.S.C. 102(b) as being anticipated by Masunari et al. (Bulletin of the Fisheries Experiment Station, Okayama Prefecture, 2001; 16: 49-57 (translation pages 1-14)) and claims 1-9, 12-16, 20-22, 24, 26-28 and 30 under 35 U.S.C. 102(a) as being anticipated by LaFrentz et al. (Journal of Fish Disease, 2002; 25: 703-13) are maintained for the reasons set forth in the previous office action.

Applicant argues that:

1) There is no disclosure in Masunari et al. and LaFrentz et al. to show an increase in cell number during their growth conditions.

2) Based on the growth conditions reported in these references, Applicants submit that the culture would not be in logarithmic phase, but rather they would be in the stationary phase.

Applicant's arguments have been fully considered and deemed non-persuasive.

The instant invention is drawn to a pharmaceutically administrable composition comprising inactivated cells of *Flavobacterium psychrophilum* in a logarithmic growth phase and at least one pharmaceutically acceptable carrier or adjuvant. Subsequent claims are drawn to a method for preventing the cold-water disease in fish, comprising administering an effective dosage of the composition according to claim 1 to a fish in need thereof to thus prevent cold-water disease.

With regard to Point 1, logarithmic phase is defined as the phase where binary fission occurs and the rate of increase in cell number is multiplication function of cell number. The culture conditions of both LaFrentz et al. and Masunari et al. are such that the cells would be in logarithmic phase. LaFrentz et al. evidence this where it is disclosed that *F. psychrophilum* cultures were grown in 2 L volumes for 72 hours (see LaFrentz, pages 704-705). Masunari et al. discloses a logarithmic grow phase in the growth curve in Fig 1 as well as the results (see Masunari et al. page 814). In absence of evidence to the contrary the cultures would be in logarithmic phase.

With regard to Point 2, Applicant's assertions comprise only attorney's argument; said argument cannot be considered evidence unless it is an admission, in which case, an examiner may use the admission in making a rejection. See MPEP § 2129 and § 2144.03 for a discussion of admissions as prior art. Additionally, the arguments of counsel cannot take the place of evidence in the record. In re Schulze, 346 F.2d 600, 602, 145 USPQ 716, 718 (CCPA 1965); In re Geisler, 116 F.3d 1465, 43 USPQ2d 1362 (Fed. Cir. 1997)

("An assertion of what seems to follow from common experience is just attorney argument and not the kind of factual evidence that is required to rebut a prima facie case of obviousness."). See MPEP § 716.01(c) for examples of attorney statements which are not evidence and which must be supported by an appropriate affidavit or declaration MPEP 2145. Accordingly, Applicant's assertion that one of ordinary skill in the art would have recognized that the compositions of Endoh et al. might not necessarily possess the ability to induce a protective immunity in a patient is insufficient to overcome the rejection.

As previous stated Masunari et al. disclose a vaccine comprising formalin-killed *Flavobacterium psychrophilum* cells. Moreover, Masunari et al. disclose that the vaccine is to be used for the prevention of the cold-water disease in Ayu (fish) (page 4, paragraph 3; title). The vaccine of the prior art is the same of that which is claimed. Inherently, the inactivated cells components comprise cell membrane components, vesicles, and/or secretary products.

It should be remembered that the products of the prior art reference appear to be the same as the product claimed by the applicant because they appear to possess the same or similar functional characteristics, i.e. the ability to prevent cold water disease in fish. The purification, isolation or production of a product by a particular process does not impart novelty or unobviousness to a product when the same product is taught by the prior art. This is particularly true when the process does not change properties of the product in an unexpected manner. See *In re* Thorpe, 227 USPTO 964 (CAFC 1985); *In re* Marosi, 218 USPTO 289, 29222-293 (CAFC 1983); *In re* Brown, 173 USPTO 685 (CCPA

1972). Even if applicant's product can be shown to be of higher purity than the product of the prior art reference, applicant needs to show some unexpected and unique utility or property, such as unexpected biologically significant increase in specific activity with which the increased purity, great stability and/or practicality or freedom from some restrictive element or adverse side effects inherent in the product preparations of the prior art or some other secondary consideration which the additional degree of purity imparts to applicants product in order to overcome the aspect of the product's purity.

Moreover, Masunari et al discloses a method for preventing the cold-water disease in fish, comprising administering 0.05 ml of inactivated cells of *Flavobacterium psychrophilum* to fish (page 4, paragraph 4). The method of the prior art is the same of that which is claimed. Limitations such as an effective dosage range are being viewed as limitations of optimizing experimental parameters.

Further, as previously presented, LaFrentz et al discloses a vaccine that comprises killed *Flavobacterium psychrophilum* cells, which were effective against bacterial coldwater disease in fish (page 705 &710; 1st column). LaFrentz et al discloses that *Flavobacterium psychrophilum* cells were killed by formalin and harvested by centrifugation. Moreover, LaFrentz discloses that the cells were re-suspended in physiological saline (page 705, 1st column, 1st paragraph). Inherently, the inactivated cells components comprise cell membrane components, vesicles, and/or secretary products.

It should be remembered that the products of the prior art reference appear to be the same as the product claimed by the applicant because they appear to possess the same or similar functional characteristics, i.e. the ability to prevent cold water disease in fish. The purification, isolation or production of a product by a particular process does not impart novelty or unobviousness to a product when the same product is taught by the prior art. This is particularly true when the process does not change properties of the product in an unexpected manner. See *In re* Thorpe, 227 USPTO 964 (CAFC 1985); *In re* Marosi, 218 USPTO 289, 29222-293 (CAFC 1983); *In re* Brown, 173 USPTO 685 (CCPA 1972). Even if applicant's product can be shown to be of higher purity than the product of the prior art reference, applicant needs to show some unexpected and unique utility or property, such as unexpected biologically significant increase in specific activity with which the increased purity, great stability and/or practicality or freedom from some restrictive element or adverse side effects inherent in the product preparations of the prior art or some other secondary consideration which the additional degree of purity imparts to applicants product in order to overcome the aspect of the product's purity.

Moreover, LaFrentz et al discloses a method for preventing cold-water disease in rainbow trout by administering a vaccine comprising killed *Flavobacterium psychrophilum* cells (pages 704- bacterial culture; 705-fish immunizations). Additionally, LaFrentz discloses that the fish were immunized by immersion. Bath solutions were prepared by suspending formalin-killed *Flavobacterium psychrophilum* cells in water. For rainbow trout immunizations,

an additional immersion was included (page 705, immersion delivery). The method of the prior art is the same of that which is claimed. Limitations such as an effective dosage range are being viewed as limitations of optimizing experimental parameters.

3. The rejection of claims 1-8, 12-15, 20-22, 24, 26-28 and 30 under 35 U.S.C. 102(b) as being anticipated by Rahman et al. (Fish and Shellfish Immunology, 2002; 12: 169-79) is maintained for the reasons set forth in the previous office action.

Applicant argues that:

1) Rahman et al. does not disclose or suggest an inactivated vaccine.

2) Rahman et al. does not suggest any relationship between the virulence and the vaccine's efficacy, much less disclose that there is a higher effect of the vaccine which is made from a logarithmic phase culture.

Applicant's arguments have been fully considered and deemed non-persuasive.

The instant invention is drawn to a pharmaceutically administrable composition comprising inactivated cells of *Flavobacterium psychrophilum* in a logarithmic growth phase and at least one pharmaceutically acceptable carrier or adjuvant. Subsequent claims are drawn to a method for preventing the cold-water disease in fish, comprising administering an effective dosage of the composition according to claim 1 to a fish in need thereof to thus prevent cold-water disease.

With regard to Point 1, Rahman et al. disclose that cultures were grown and harvested by centrifugation while still in logarithmic growth phase (page 173; culture conditions in broth medium). Further, Rahman et al. disclose that formalin killed bacteria was used for the vaccine in question (see page 170).

With regard to Point 2, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the relationship between the virulence and the vaccine's efficacy) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As previously presented, Rahman et al. disclose a *Flavobacterium psychrophilum* vaccine based on the antigenic outer membrane fraction of the cell (abstract). Rahman et al. disclose that the bacterin was inactivated with formalin (page 170, preparation of the vaccines). Lastly, Rahman et al. disclose that the supernatant was centrifuged and re-suspended in distilled water (page 171, 1st full paragraph). The vaccine of the prior art is the same of that which is claimed.

It should be remembered that the products of the prior art reference appear to be the same as the product claimed by the applicant because they appear to possess the same or similar functional characteristics, i.e. the ability to prevent cold water disease in fish. The purification, isolation or production of a product by a particular process does not impart novelty or unobviousness to a

product when the same product is taught by the prior art. This is particularly true when the process does not change properties of the product in an unexpected manner. See *In re* Thorpe, 227 USPTO 964 (CAFC 1985); *In re* Marosi, 218 USPTO 289, 29222-293 (CAFC 1983); *In re* Brown, 173 USPTO 685 (CCPA 1972). Even if applicant's product can be shown to be of higher purity than the product of the prior art reference, applicant needs to show some unexpected and unique utility or property, such as unexpected biologically significant increase in specific activity with which the increased purity, great stability and/or practicality or freedom from some restrictive element or adverse side effects inherent in the product preparations of the prior art or some other secondary consideration which the additional degree of purity imparts to applicants product in order to overcome the aspect of the product's purity.

Moreover, Rahman et al discloses a method for preventing cold-water disease in rainbow trout and ayu (abstract). Moreover, Rahman et al discloses that the fish were immunized with a *Flavobacterium psychrophilum* vaccine based on the antigenic outer membrane fraction (abstract, page 171-vaccination). The method of the prior art is the same of that which is claimed. Limitations such as an effective dosage range are being viewed as limitations of optimizing experimental parameters.

4. The rejection of claims 1 and 2 under 35 U.S.C. 102(b) as being anticipated by Kondo et al. (Microbiol. Immunol., 2001; 45(12): 813-18) is maintained for the reasons set forth in the previous office action.

Applicant argues that:

1) Amended claims 1 and 2 have been rewritten to contain additional components.

2) Kondo et al. does not disclose or suggest an inactivated vaccine.

3) Kondo et al. does not suggest any relationship between the virulence and the vaccine's efficacy, much less disclose that there is a higher effect of the vaccine which is made from a logarithmic phase culture.

Applicant's arguments have been fully considered and deemed non-persuasive.

The instant invention is drawn to a pharmaceutically administrable composition comprising inactivated cells of *Flavobacterium psychrophilum* in a logarithmic growth phase and at least one pharmaceutically acceptable carrier or adjuvant.

With regard to Point 1, the amendment dated December 28, 2006 has not been entered. Moreover, Kondo et al. disclose that said inactivated cells of *Flavobacterium psychrophilum* are inoculated into 200 ml of broth (see page 813), thus meeting the limitation of at least one pharmaceutically acceptable carrier.

With regard to Point 2, Applicant has not provided via a side-by-side comparison to the contrary that there is a material difference between the claimed invention and that of the art.

Moreover, it should be remembered that the products of the prior art reference appear to be the same as the product claimed by the applicant

because they appear to possess the same or similar functional characteristics, i.e. cells of *Flavobacterium psychrophilum* for the prevention of cold-water disease in fish. The purification or production of a product by a particular process does not impart novelty or unobviousness to a product when the same product is taught by the prior art. This is particularly true when the process does not change properties of the product in an unexpected manner. See *In re* Thorpe, 227 USPTO 964 (CAFC 1985); *In re* Marosi, 218 USPTO 289, 29222-293 (CAFC 1983); *In re* Brown, 173 USPTO 685 (CCPA 1972). Even if applicant's product can be shown to be of higher purity than the product of the prior art reference, applicant needs to show some unexpected and unique utility or property, such as unexpected biologically significant increase in specific activity with which the increased purity, great stability and/or practicality or freedom from some restrictive element or adverse side effects inherent in the product preparations of the prior art or some other secondary consideration which the additional degree of purity imparts to applicants product in order to overcome the aspect of the product's purity.

Lastly, claim limitations such as "vaccine" and "against the cold-water disease in fish " are being viewed as limitations of intended use. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as

compared to the art. See *In re Casey,* 152 USPQ 235 (CCPA 1967) and *In re Otto,* 136 USPQ 458, 458.

With regard to Point 3, in response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the relationship between the virulence and the vaccine's efficacy) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

As previous presented, Kondo et al discloses a 36-hour culture that comprises *Flavobacterium psychrophilum.* Kondo et al discloses that this culture had the highest mortality of immersion infection, which indicates that the bacterium at the logarithmic culture phase has a high virulence (page 817, 1st column). The vaccine of the prior art is the same of that which is claimed. Claim limitations such as "vaccine" and "against the cold-water disease in fish " are being viewed as limitations of intended use. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the art. See *In re Casey,* 152 USPQ 235 (CCPA 1967) and *In re Otto,* 136 USPQ 458, 458.

5. The rejection of claims 1-30 are rejected under 35 U.S.C. 102(a) as being anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kondo et al (Diseases of Aquatic Organisms, August 4, 2003; 55(3): 261-64) is maintained for the reasons set forth in the previous office action.

Applicant argues that:

1) Applicants have submitted herewith a certified English translation of JP 2002-366769. Thus, Kondo et al. is not prior art against the claims.

Applicant's arguments have been fully considered and deemed non-persuasive.

With regard to Point 1, as the translation was not timely filed (should have been filed in response to the non-final action dated March 07, 2006) and the amendment not been entered, the certified English translation of JP 2002-366769 is not being considered at this time.

As previously presented, Kondo et al. disclose a method of preventing coldwater disease in ayu comprising orally administering formalin-killed cells of *Flavobacterium psychrophilum* in a logarithmic growth phase (abstract; 1st column-page 261). Moreover, Kondo et al. disclose that the formalin-killed bacteria cells were harvested by centrifugation. Fish were immunized by feeding dry pellets mixed with the vaccine at a rate of 0.1 to 0.2 g FKC per kg fish body weight per day, every day for two weeks (Fish and vaccination, page 261). The method and composition of the prior art are the same or equivalent to the

claimed method and composition. Inherently, the inactivated cells comprise cell membrane components, vesicles, and secretary products.

With regard to claims 8, 9, 15 and 16 the examiner is viewing the water, which will be present, to assist in the administration of the dry pellets mixed with the vaccine as a liquid carrier.

It should be remembered that the products of the prior art reference appear to be the same as the product claimed by the applicant because they appear to possess the same or similar functional characteristics, i.e. the ability to prevent cold water disease in fish. The purification, isolation or production of a product by a particular process does not impart novelty or unobviousness to a product when the same product is taught by the prior art. This is particularly true when the process does not change properties of the product in an unexpected manner. See *In re* Thorpe, 227 USPTO 964 (CAFC 1985); *In re* Marosi, 218 USPTO 289, 29222-293 (CAFC 1983); *In re* Brown, 173 USPTO 685 (CCPA 1972). Even if applicant's product can be shown to be of higher purity than the product of the prior art reference, applicant needs to show some unexpected and unique utility or property, such as unexpected biologically significant increase in specific activity with which the increased purity, great stability and/or practicality or freedom from some restrictive element or adverse side effects inherent in the product preparations of the prior art or some other secondary consideration which the additional degree of purity imparts to applicants product in order to overcome the aspect of the product's purity.

In the alternative, Kondo et al. does not specifically teach administering a composition comprising inactivated cells of *Flavobacterium psychrophilum* in a logarithmic growth phase and at least one pharmaceutically acceptable carrier or adjuvant to an adult fish or inactivation by heat treatment or talc as a solid carrier.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the invention of Kondo et al by administering the above-mentioned compositions to an adult fish for economical reasons and for overall protection of fish from a cold-water disease. Additionally, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the invention of Kondo et al by inactivating the cells by heat treatment because heat treatment is an obvious alternative to formalin and is well known in the art. Lastly, it would have been obvious to one of ordinary skill in the art at the time of invention to modify the invention of Kondo et al by using talc as a solid carrier because talc is an obvious type of solid carrier and is commonly used in pharmaceutical compositions. One would have had a reasonable expectation, barring evidence to the contrary, that the method and the composition as discloses above would be effective for preventing the cold-water disease in fish.

Conclusion

6. No claim is allowed.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lakia J. Tongue whose telephone number is

571-272-2921. The examiner can normally be reached on Monday-Friday 8-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Siew can be reached on 571-272-0787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LDT
2/21/07

ROBERT A. ZEMAN
PRIMARY EXAMINER